

**Boston Cannabis Board
(BCB)
Information Session**

April 26, 2021

Introductions:

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Cannabis Establishments in Boston

- Former Mayor Walsh and the Boston City Council passed an ordinance establishing the Boston Cannabis Board (the “BCB”) which is the authority tasked with siting cannabis establishments in Boston. The BCB consists of five appointed individuals tasked with ensuring equity in the issuance of cannabis licenses both in terms of to whom they are issued and where in the City they are issued.
- Pursuant to Massachusetts General Law Boston must site a minimum of 52 retail recreational cannabis dispensaries. This number excludes other cannabis uses such as medical, cultivation, laboratory, manufacturing, and delivery.

Application Process



- Key Documents: Online application; direct and indirect beneficial interest disclosures; legal right to occupy the premise (deed, lease agreement, letter of intent)

- File plans for the cannabis use with the Inspectional Services Department (all cannabis establishments in the City of Boston are either conditional or forbidden meaning all will require zoning relief from the Zoning Board of Appeals)

- Receive rejection letter from Zoning Board of Appeals and file an appeal

- Schedule statutory community meeting through the Mayor's Office of Neighborhood Services; applicants are also encouraged to reach out to the applicable neighborhood associations, elected officials, and nearby residents and businesses; the statutory community meeting is the minimum community outreach legally required

- This request should be made **AFTER** the statutory community meeting; the BCB should be cced on this request at which time it will issue a formal letter which triggers the 45 day period for the District City Councilor to provide a letter; failure to provide a letter is considered non-opposition which can be supplemented by the District City Councilor at the hearing before the BCB



- Once the 45 period has run or the District City Councilor letter has been received the application is deemed complete if all requested material have been submitted. Certified equity applicants are scheduled for the next hearing before the BCB if the application is complete by the last business day of the preceding month. Non-equity applicants are placed in the queue based on the date of the application and are scheduled pursuant to the 1:1 equity to non-equity ratio.

- The Host Community Agreement (the "HCA") is drafted by the Law Department and is largely form apart from incorporating any conditions placed by the BCB through its vote. The HCA is typically signed in a matter of days following an affirmative vote of the BCB.

- Only applicants granted a license by the BCB will be scheduled for a hearing before the Zoning Board of Appeals. The Zoning Board of Appeals evaluates the proposed cannabis establishment from a land use perspective.

- Obtain the approval from the Cannabis Control Commission

- Build out and final licensure

Evaluating an Application

- The Ordinance establishing the BCB also establishes the criteria each member of the BCB uses in evaluating the appropriateness of the proposed time, place, and manner of a cannabis establishment. The score sheet and guidance used by each member of the BCB is available on the website: Boston.gov/cannabis.
- Every application is evaluated on its individual merits pursuant to the ordinance. There is no maximum or minimum score necessary to grant a license. Instead, the scoring is used by each member of the BCB to guide the deliberations.



City of Boston
Mayor Martin J. Walsh
Boston Cannabis Board

Commissioners:
Barbara M. Ayer, Chairman
Lisa Holton
Darlene Lombas
John Smith
Alexandra St. Guillen

SCORING SHEET*
NEW CANNABIS LICENSE APPLICATION

HEARING DATE: _____ VOTING HEARING DATE: _____

APPLICANT ENTITY NAME: _____

PROPOSED D/B/A: _____

PROPOSED LICENSED PREMISE ADDRESS: _____

LICENSE TYPE: _____

CERTIFIED EQUITY APPLICANT BY ORD? _____

Total points possible: 100.

EVALUATION CRITERIA

1. Diversity and inclusion plan: _____/25
2. Employment plan: _____/20
 - a. Plan for employment of Boston residents;
 - b. Plan for employment of minorities and women;
 - c. Plan for offering competitive wages and benefits for local residents;
 - d. Plan for employment of individuals with criminal records.
3. Community feedback/public support: _____/20
 - a. Letters of support from local elected officials;
 - b. Letters of support from local community organizations.
4. Location, safety, and security: _____/20
 - a. Plan for on-site security personnel;
 - b. Plan for building and product security;
 - c. Plan for protecting youth from accessing the product.
5. Parking/transportation plan: _____/15
 - a. Access to public transportation;
 - b. Accessibility and amount of on-site parking;
 - c. Plan for the transportation and delivery of product;
 - d. Plan for the transportation of monies to and from the site.

TOTAL SCORE: _____/100

Commissioner Vote: _____ GRANT _____ GRANT CONDITIONALLY
_____ REJECT WITHOUT PREJUDICE _____ REJECT WITH PREJUDICE

COMMISSIONER NAME: _____

Buffer Zone:

There are two (2) Buffer Zones applicable to cannabis establishments regardless of license type.

1. **School Buffer Zone:** Pursuant to Massachusetts General Law a cannabis establishment cannot be located within 500 feet of an existing public or private K-12 school providing education. The CCC recently adopted new regulations impacting the way the School Buffer Zone is measured. There is no waiver to the School Buffer Zone.



2. **Half Mile Buffer Zone:** Pursuant to the City of Boston's Zoning Code, in order to site a cannabis establishment within a half mile of an existing cannabis establishment, the BCB applies a heightened level of scrutiny as defined in its Rules and Regulations. This also requires a variance from the Zoning Board of Appeals.

1/2 MILE

Half

Cannabis Delivery



Cannabis Delivery Licenses

The CCC has promulgated new regulations creating two delivery license types:

- Cannabis Courier
- Cannabis Delivery Operator

The CCC has implemented a two step review and approval process for delivery applicants:

- Pre-approval (may occur prior to obtaining licensure from the municipality)
- Approval (only occurs if the applicant has obtained licensure from the municipality)

*Only existing economic empowerment and social equity applicants are eligible for these licenses for the next three years which is distinct from the Boston equity program

Delivery License Types

Courier Model

- This model allows an approved licensee to obtain cannabis from a licensed medical or recreational dispensary and delivery direct to consumers and to charge a fee
- There is no storage or wholesaling component to the courier model

There is no repackaging of cannabis products with the courier model

- “UberEats” of cannabis delivery
- Applications for the courier model are currently being processed by the BCB and the CCC

Delivery Operator

- This model allows an approved licensee to obtain cannabis at the cultivation/manufacturing level, store, repackage, and sell and deliver directly to consumers
- This allows the licensee to purchase in bulk and “white label” the product

The cannabis delivery operator model is restricted to recreational cannabis (no medical)

- The CCC is actively creating the application for the delivery operator model and applications cannot be accepted until that application is complete (deadline of August)

*The cannabis courier model and cannabis delivery operator model may be colocated

The BCB Rules and Regulations

- The BCB at its April 28th voting hearing will consider a draft amendment to its Rules and Regulations which would require any dispensary within the City of Boston to obtain the BCB's approval prior to engaging with delivery licensees
 - Should the BCB vote to consider the draft amendment it will be publicly posted and subject to a public comment period



Boston Equity Program

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Boston Equity Program



- The Boston Equity Program was created by An Ordinance Establishing Equitable Regulation of the Cannabis Industry in the City of Boston to counteract the devastating impacts of the “War on Drugs”, which disproportionately affected people of color, particularly Black, Latino, and Asian residents living in the Roxbury, Dorchester, and Mattapan neighborhoods of Boston.
- The Boston Cannabis Equity Program provides technical assistance to equity applicants, which include services such as:
 - Technical assistance with business operations, including the development of business plans.
 - Technical assistance recruiting employees.
 - Guidance and assistance through the application process.
 - Technical assistance with legal compliance.
 - Accounting and tax preparedness assistance.
 - Best practices for operating in the marijuana industry.
 - Technical assistance with store security.
 - Technical assistance identifying and raising funds and capital and identifying vendors.

It is important to note that equity applicants/licenses must continue to meet all Equity Program eligibility criteria to benefit from the Equity Fund and Boston Cannabis Equity Program.

Boston Equity Fund



- The purpose of the Boston Equity Fund and Boston Cannabis Equity Program is “...to support Equity Applicants and Licensees...to establish and operate a cannabis business in the City of Boston.”
- The benefits of the Equity Fund and the technical assistance program are available to certified equity applicants and licensees. Certified equity applicants/licensees have met the following criteria set forth in the Ordinance:
 - A person who has resided in an area of disproportionate impact, as defined by the Cannabis Control Commission, for at least 5 of the last 10 years;
 - A person who has a past arrest or conviction for the possession, sale, manufacturing, or cultivation of Marijuana between 1971 and 2016, who has been a resident of Boston for the past 5 years; OR a person who is the child of a person with a past arrest or conviction for the possession, sale, manufacturing, or cultivation of Marijuana between 1971 and 2016, who has been a resident of Boston for the past 5 years;
 - A person who has resided in the City of Boston for at least the past 7 years;
 - A person who is of Black, African American, Hispanic, Latino or Asian descent;
 - A person whose annual household income is at or below 100% of the area median income;
 - A person who has been certified by the Cannabis Control Commission as an Economic Empowerment Applicant and is a resident of Boston for at least one of the last three years.
- The Equity Fund offers grants to certified applicants and licensees for a wide range of purposes including working capital, startup costs, build out, equipment purchases, and rent.

Questions



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***All inquiries/correspondence should be
sent to the main email**

Cannabis Website:

<https://www.boston.gov/boston-cannabis-board>

Equity Website:

<https://www.boston.gov/boston-cannabis-board/boston-equity-program-cannabis-businesses>